

**AN ORDINANCE AND CHARTER AMENDMENT**

**10-O-1739**

**BY COUNCILMEMBER NATALYN MOSBY ARCHIBONG**

**AS SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AND CHARTER AMENDMENT TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469 ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O. C. G. A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A, (CHARTER), ARTICLE III (EXECUTIVE), CHAPTER 3 ENTITLED (CITY DEPARTMENTS), SECTION 3-305 OF THE CITY OF ATLANTA'S CODE OF ORDINANCES BY ADDING A NEW SUB-PARAGRAPH (d); TO REPEAL CONFLICTING ORDINANCES AND CHARTER AMENDMENTS; AND FOR OTHER PURPOSES.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1:** That Article 3. Chapter 3 Entitled "City Departments" Section 3-305 shall be amended by inserting a new sub-paragraph (d) which reads as follows:

**Section 3-305** Commissioners of departments—Appointment; removal; residency; appointment of other city employees.

(a) *Appointment; removal.* The mayor shall appoint all commissioners of departments, subject to confirmation by a majority of the city council. As used in this section, "commissioner" means the administrative head of each department regardless of the title of a particular department head. Commissioners may be removed at the pleasure of the mayor

(b) *Residency.* A commissioner, deputy commissioner, or bureau administrator of a department need not be a resident of the city at the time of his or her appointment but shall reside in the city throughout such appointment.

(c) Appointment and removal of other employees. Commissioners of departments shall have the power and duty to appoint and remove deputy commissioners and bureau administrators. A deputy commissioner or bureau administrator may be removed by a commissioner.

~~(d) *Re-confirm.* All commissioners of a department remaining at the end of a four (4) year term shall be reconfirmed by city council at the beginning of the term of the appointing authority. The term of appointment shall not exceed the term of office of mayor/council members. Until re-confirmation or removal commissioners shall serve on a month to month basis and shall be deemed interim or acting, until the city council confirms the commissioner of each department.~~

(d) Any commissioner of a department remaining at the end of four (4) year term shall be considered a hold over commissioner and must be re-nominated by the mayor and re-confirmed by the City Council at the beginning of the term of the appointing authority. Until re-nomination and reconfirmation, any such commissioner will be deemed an Acting Commissioner until such time that the commissioner is re nominated by the mayor and re-confirmed by the Council

**SECTION 2:** A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia, (Ga. Laws 1996 p. 4469 et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a notice of Proposed Amendment to the Charter of City of Atlanta, Georgia”, attached hereto as Exhibit “A” and by reference, made a part thereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three (3) weeks within a period of sixty (60) days immediately preceding its final adoption.

**SECTION 3:** That all ordinances and charter amendments and parts of ordinances and charter amendments in conflict herewith are hereby repealed.

**EXHIBIT "A"**

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER OF  
THE CITY OF  
ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend the Charter of the City of Atlanta, Georgia captioned as follows:

**AN ORDINANCE AND CHARTER AMENDMENT TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA. LAWS P. 4469 ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O. C. G. A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A, (CHARTER), ARTICLE III (EXECUTIVE), CHAPTER 3 ENTITLED (CITY DEPARTMENTS), SECTION 3-305 OF THE CITY OF ATLANTA'S CODE OF ORDINANCES BY ADDING A NEW SUB-PARAGRAPH (d); TO REPEAL CONFLICTING ORDINANCES AND CHARTER AMENDMENTS; AND FOR OTHER PURPOSES.**

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This \_\_\_\_\_ day of \_\_\_\_\_ 2010.

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**Rhonda Dauphin Johnson**  
**Municipal Clerk**  
**City of Atlanta**

## **PUBLIC NOTICE**

### **NOTICE OF PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF ATLANTA, GEORGIA**

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GIVEN UNDER MY HAND AND SEAL OF  
THIS OFFICE ON THIS **22nd** day of  
**September, 2010.**

Rhonda Dauphin Johnson  
Municipal Clerk

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10-O-1739

  
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This \_\_\_\_\_ day of \_\_\_\_\_ 2010.

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**Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta**



